

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Demario Montrell Leach

Docket No. 5:17-CR-185-1H

Petition for Action on Supervised Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Demario Montrell Leach, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on December 5, 2017, to the custody of the Bureau of Prisons for a term of 22 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Demario Montrell Leach was released from custody on February 8, 2019, at which time the term of supervised release commenced.

On July 10, 2019, a Violation Report was submitted to the Court advising that Leach was charged with the misdemeanor offenses of Injury to Personal Property, Injury to Real Property, and Communicating Threats. On July 15, 2019, the Court approved the recommendation of taking no action and allowing resolution of the charges in state court. It is noted that on July 17, 2019, the state voluntarily dismissed the charges.

On August 11, 2020, a Violation Report was submitted to the Court advising that Leach was charged with the misdemeanor offenses of Breaking and or Entering, Injury to Personal Property, and Resisting a Public Officer. On August 12, 2020, the Court approved the recommendation of taking no action and allowing resolution of the charges in the state court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 17, 2020, the undersigned probation officer spoke with Leach and his fiancé and was informed that in June 2020, Leach attempted suicide. As a result, Leach was admitted to Wayne Memorial Hospital and was subsequently transferred to Old Vineyard Behavioral Health Services (OVBHS), an in-patient mental health treatment facility. Leach admitted to receiving services for approximately one and a half weeks at OVBHS, until his discharge. Since discharge, Leach has been receiving outpatient mental health therapy at the Waynesboro Family Clinic. Therefore, to ensure his continued compliance with his current course of mental health treatment, the U.S. Probation Office would respectfully recommend his term of supervised release be modified allowing Leach to continue participating in his current approved course of mental health treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ David W. Leake
David W. Leake
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: August 19, 2020

ORDER OF THE COURT

Considered and ordered this 24th day of August, 2020, and ordered filed and
made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge